

SENATE BILL 1834
By Kilby

AN ACT to amend Tennessee Code Annotated, Title 7 and Title 13.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-7-205, is amended by deleting subsection (a) in its entirety and by substituting instead the following:

(a)

(1) The chief legislative body may create a board of zoning appeals of three (3), five (5), seven (7), or nine (9) members, may specify the mode of appointment of members of such board and their terms, which terms shall be of such length and so arranged that the term of one (1) member shall expire each year, or the chief legislative body may designate the planning commission of the municipality as the board of zoning appeals. The compensation of the members of the board shall be as affixed by the chief legislative body; provided, that in those counties having a metropolitan government the chief legislative body may create a board of three (3), five (5), seven (7), or nine (9) members, at least two (2) of whom shall be selected from minorities as well as members of the sex which historically have been under-represented on the board of zoning appeals,

subject to the provisions of this section. If a county with a metropolitan form of government having a population of not less than four hundred seventy thousand (470,000) nor more than five hundred thousand (500,000) according to the 1980 federal census or any subsequent federal census creates a board of zoning appeals consisting of nine (9) members, at least two (2) of the members thereof shall be appointed consistent with the provisions of this subsection (a).

(2) In the county town of any county having a population of more than two hundred eighty thousand (280,000) according to the 1990 federal census or any subsequent federal census, the chief legislative body may create a board of zoning appeals of nine (9) members, and may specify the mode of appointment of members of such board and their terms. Such terms shall be of a length and so arranged that the term of one (1) member shall expire each year. The provisions of this subdivision (a)(2) shall not apply to a county having a charter form of government or any county having a metropolitan form of government.

(3) A municipality having a population of not less than thirty-two thousand eight hundred fifty (32,850) nor more than thirty-four thousand (34,000) according to the 1990 federal census or any subsequent federal census may increase its board of zoning appeals from five (5) members to seven (7) members, with the terms of such members being arranged in accordance with the provisions of this subsection (a).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

it.